

In re Appln. No. 09/429,331

REMARKS

1. At the time the February 20, 2001, response was prepared, counsel's file copy of the specification was missing page 237. Hence, the sequences appearing on that page were not incorporated into the Sequence Listing filed on that date.

Since counsel received a postcard receipt (copy enclosed) acknowledging the filing of a 293 page specification, counsel assumes that page 237 was missing only from counsel's file copy and not from the original filed with the PTO.

If counsel is mistaken, inserting page 237 at this time does not constitute the addition of "new matter". At page 1, lines 3-10, it is stated:

This application is a continuation-in-part of PCT/US99/06664, filed March 26, 1999, which is a continuation-in-part of 60/115,345, filed January 8, 1999, which is a continuation-in-part of Paige et al., Serial No. 60/099,656, filed September 9, 1998, which is a continuation-in-part of Paige et al., Serial No. 60/082,756, filed April 23, 1998. All of the above applications are hereby incorporated-by-reference.

Page 237 of this application sets forth Table 1, and part of Table 2. It is identical to page 152 of the above-identified, incorporated-by-reference PCT application. Hence, even if inadvertently omitted from this application as filed, it can be provided without adding "new matter".

In re Appln. No. 09/429,331

2. At page 162, we correct an obvious typographical error in the identification of ambiguous nucleotide "K", which denotes "G" or "T", not "C" or "T". See MPEP §2422, page 2400-20, Table 1. The NNK codon, specified at page 162, line 33, encodes all 20 amino acids. If the third position were C/T (Y), instead of G/T (K), then Met (ATG), Trp (TGG), Ser (TCA, TCG), Gln (CAA, CAG), Lys (AAA, AAG) and Gly (GAA, GAG) would not be encoded, inconsistent with the identification of X in LXXLL (page 162, line 29) as "any AA". This error was also corrected on page 4 of the Sequence Listing at <223> in SEQ ID NO:14.

3. Applicants hereby submit the following:

[XX] an amendment to the paper copy of the "Sequence Listing" submitted on February 20, 2001, the amendment being in the form of substitute pages 1 and 79 and new pages 80-90;

[XX] the Sequence Listing in computer readable form, complying with §1.821(e) and §1.824, including, if an amendment to the paper copy is submitted, all previously submitted data with the amendment incorporated therein;

[XX] 4. The description has been amended to comply with §1.821(d).

In re Appln. No. 429,331

5. The undersigned attorney or agent hereby states as follows:

- (a) this submission is not believed to include new matter [§1.821(g)];
- (b) the contents of the paper copy (as amended, if applicable) and the computer readable form of the Sequence Listing, are believed to be the same [§1.821(f) and §1.825(b)];
- (c) if the paper copy has been amended, the amendment is believed to be supported by the specification and is not believed to include new matter [§1.825(a)]; and

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By: _____

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F:\N\Nova\PaigelD\Pto\SequenceResponse.doc

Enclosures:

Paper Sequence Listing pp. 1,4 and 79-90
Substitute CRF
Substitute page 237
Page 152 of PCT/US99/06664
Copy of stamped postcard receipts

FILED: 28 October 1999APPLICANT(S): PAIGE et al.

THE PATENT AND TRADEMARK OFFICE STAMP HEREON
ACKNOWLEDGES RECEIPT OF THE ABOVE-IDENTIFIED
APPLICATION, INCLUDING THE FOLLOWING PAPERS:

☐ FEES \$ _____ (CH # _____)

☐ RULE 60 CONTINUATION, WITH:

☐ COPY OF ORIGINAL APPLICATION (_____ pages)

☐ COPY OF ORIGINAL DECLARATION

☐ COPY OF ORIGINAL DRAWINGS (if any) (_____ sheets)

☐ RULE 60 DIVISIONAL, WITH:

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☐ RULE 62 ☐ CONTINUATION

(Abandon ☐ DIVISIONAL

Parent) ☐ CONTINUATION-IN-PART

☐ INT'L PCT. APPLN. (_____ pages)

☐ APPT. OF AGENT ☐ FEE CALCULATION SHT.

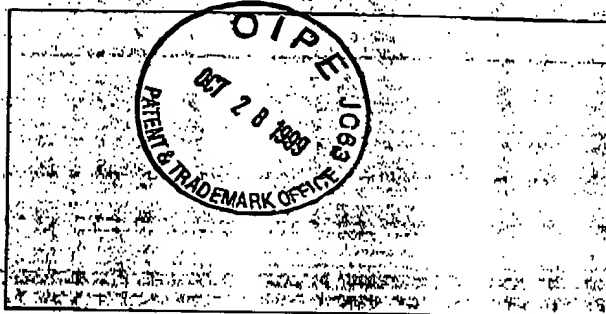
☐ U.S. NAT'L PHASE OF INT'L APPLN. (_____ pages)

☐ OTHER _____

B&N-4

DOCKET NO.: PAIGE-10 (Nom)

[PARENT CASE: _____]



☒ NEW ORIGINAL APPLICATION

☒ 293 pages

☐ CONTINUATION-IN-PART

☐ DESIGN APPLICATION

☐ PLANT PATENT APPLICATION

☒ 29 SHEETS OF DRAWINGS 21 FIG(S)

☒ TRANSMITTAL LETTER

☐ PRELIMINARY AMENDMENT

☐ SMALL ENTITY STATEMENT(S)

☐ INFORMATION DISCLOSURE

☐ PRIORITY DOCUMENT(S)

☐ ASSIGNMENT

☐ DECLARATION

Initials: BCSFILED: 28 October 1999APPLICANT(S): PAIGE et al.

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☐ RULE 62 ☐ CONTINUATION

(Abandon ☐ DIVISIONAL

Parent) ☐ CONTINUATION-IN-PART

☐ INT'L PCT. APPLN. (_____ pages)

☐ APPT. OF AGENT ☐ FEE CALCULATION SHT.

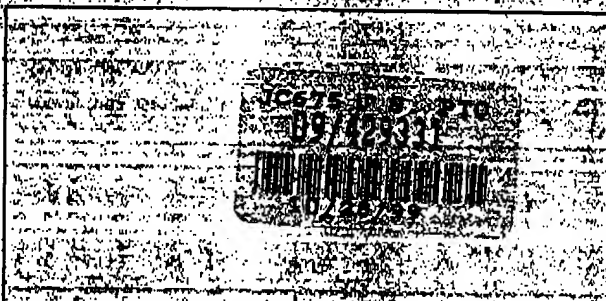
☐ U.S. NAT'L PHASE OF INT'L APPLN. (_____ pages)

☐ OTHER _____

B&N-4

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☐ DECLARATION

Initials: BCS ✓

WO 99/54728

152

PCT/US99/06664

Table 1

Peptides the Bind to the Unliganded (unactivated)
Estrogen Receptor

	Sequence	Phage #
5	S R W E S P L G T W E W S R	4
	S A A P R T I S H Y L M G G	48
	S S W V R L S D F P W G V S R	1
	S S W D R L S D F P W G V S R	2
	S S W I R L R D L P W G E S R	3
10	S S W V L L R D L P W G S R	31
	S S W V V L R D L P W G S R	29
	S S C K W Y E K C S G L W S R	7
	S S G I C F F W D G C F E S R	35
	S R N L C F F W D D E Y C S R	41
15	H H H R H P A H P H T Y G G	47

Table 2

Peptides that Bind to the Estradiol Activated
Receptor

	Sequence	Phage #
20	S R A G L L S D L L E G K S R	1/2
	S S R S L L R D L L M V D S R	6
	S S N K L L Y N L L K M E S R	22
	S S K S L L L N L L S T P S R	23
	H S F P R E S L L V R L L Q G G	42
25	S R L E M L L R S E T D F S R	3
	S R L E E L L K W G S V T S R	11
	S R L E Q L L K E E F S Y S R	21
	S R L E Q L L R S E P D F S R	27
	S R L E D L L R A P F T T S R	28
30	S R L E S L L R F G Q L D S R	29
	S S R L L S L L V G D F N S R	19/20
	S R L E E L L L G T N R D S R	30
	S R L K E L L L L P T D L S R	15
	S R L E C L L E G R L N C S R	34
35	S S K L Y C L L D E S Y C S R	35
	S R L S C L L M G F E D C S R	36
	S S K L I R L L T S D E E L S R	37
	S S R L M E L L Q E G Q G W S R	40
	S S N H Q S S R L I E L L S R	4
40	S S R L W Q L L A S T D T S R	16
	S S N S M L W K L L A A P S R	13/14
	S S K T L W R L L E G E R S R	17
	S R A G P V L W G L L S E S R	32
	S S L T S R D F G S W Y A S R	5
45	S S W V R L S D F P W G V S R	24/25
	S S E Y C F Y D S A H C S R	33
	S R S L L E C H L M G N C S R	7
	S S E L L R W H L T R D T S R	8
	S R L E Y W L K W E P G P S R	12
50	S R S D S I L W R M L S E S R	31
	S S K G V L W R M L A E P V S R	38/39
	H S H G P L T L N L L R S S G G	41
	S S A G G G A P A G S T P S R	26

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Table 1

Peptides the Bind to the Unliganded (unactivated)
Estrogen Receptor

	Sequence	SEQ ID NO.	Phage #
5	S R W E S P L G T W E W S R	316	4
	S A A P R T I S H Y L M G G	317	48
	S S W V R L S D F P W G V S R	318	1
	S S W D R L S D F P W G V S R	319	2
	S S W I R L R D L P W G E S R	320	3
10	S S W V L L R D L P W G S R	321	31
	S S W V V L R D L P W G S R	322	29
	S S C K W Y E K C S G L W S R	323	7
	S S G I C F F W D G C F E S R	324	35
	S R N L C F F W D D E Y C S R	325	41
15	H H H R H P A H P H T Y G G	326	47

Table 2

Peptides that Bind to the Estradiol Activated
Receptor

	Sequence	SEQ ID NO.	Phage #
20	S R A G L L S D L L E G K S R	327	1/2
	S S R S L L R D L L M V D S R	328	6
	S S N K L L Y N L L K M E S R	329	22
	S S K S L L L N L L S T P S R	330	23
	H S F P R E S L L V R L L Q G G	331	42
25	S R L E M L L R S E T D F S R	332	3
	S R L E E L L K W G S V T S R	333	11
	S R L E Q L L K E E F S Y S R	334	21
	S R L E Q L L R S E P D F S R	335	27
	S R L E D L L R A P F T T S R	336	28
30	S R L E S L L R F G Q L D S R	337	29
	S S R L L S L L V G D F N S R	338	19/20
	S R L E E L L L G T N R D S R	339	30
	S R L K E L L L L P T D L S R	340	15
	S R L E C L L E G R L N C S R	341	34
35	S S K L Y C L L D E S Y C S R	342	35
	S R L S C L L M G F E D C S R	343	36
	S S K L I R L L T S D E E L S R	344	37
	S S R L M E L L Q E G Q G W S R	345	40
	S S N H Q S S R L I E L L S R	346	4
40	S S R L W Q L L A S T D T S R	347	16
	S S N S M L W K L L A A P S R	348	13/14
	S S K T L W R L L E G E R S R	349	17
	S R A G P V L W G L L S E S R	350	32
	S S L T S R D F G S W Y A S R	351	5
45	S S W V R L S D F P W G V S R	352	24/25
	S S E Y C F Y D S A H C S R	353	33
	S R S L L E C H L M G N C S R	354	7
	S S E L L R W H L T R D T S R	355	8
	S R L E Y W L K W E P G P S R	356	12
50	S R S D S I L W R M L S E S R	357	31
	S S K G V L W R M L A E P V S R	358	38/39
	H S H G P L T L N L L R S S G G	359	41
	S S A G G G A P A G S T P S R	360	26

SEQUENCE LISTING

<110> PAIGE, Lisa A.
MCDONNELL, Donald P.
CHANG, Ching Yu
NORRIS, John
HAMILTON, Paul T.
FOWLKES, Dana M.
BARNETT, Tom
CHRISTIANSEN, Dale J.
BUEHRER, Benjamin

<120> METHOD OF PREDICTING THE ABILITY OF COMPOUNDS TO
MODULATE THE BIOLOGICAL ACTIVITY OF RECEPTORS

<130> PAIGELD

<140> 09/429,331
<141> 1999-10-28

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<151> 1999-03-26

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<151> 1998-04-23

<150> 60/099,656
<151> 1998-09-09

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<151> 1999-01-08

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1 5 10 15

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1 5 10 15

<210> 13

<211> 15

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<213> Artificial Sequence

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1 5 10 15

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<210> 314
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peptide

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1 5 10

<210> 315
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<213> Artificial Sequence

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<210> 316
<211> 14
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<213> Artificial Sequence

<220>
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<400> 316
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1 5 10

<210> 317
<211> 14

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<210> 318

<211> 15

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<213> Artificial Sequence

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1 5 10 15

<210> 319

<211> 15

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1 5 10 15

<210> 320

<211> 15

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1 5 10 15

<210> 321

<211> 14

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<213> Artificial Sequence

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<400> 321
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<210> 322
<211> 14
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<223> Description of Artificial Sequence:Arbitrary
peptide

<400> 322
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<210> 323
<211> 15
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1 5 10 15

<210> 324
<211> 15
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<210> 326

<211> 14

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<210> 327

<211> 15

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<213> Artificial Sequence

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<400> 327

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1 5 10 15

<210> 328

<211> 15

<212> PRT

<213> Artificial Sequence

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<210> 329

<211> 15

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<213> Artificial Sequence

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<210> 330

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<400> 331

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1 5 10 15

<210> 332

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1 5 10 15

<210> 333

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<213> Artificial Sequence

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<400> 333

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1 5 10 15

<210> 334

<211> 15

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<213> Artificial Sequence

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<400> 334

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<210> 335

<211> 15

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<213> Artificial Sequence

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<400> 335

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<210> 336

<211> 15

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<213> Artificial Sequence

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<400> 336

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1 5 10 15

<210> 337

<211> 15

<212> PRT

<213> Artificial Sequence

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peptide

<400> 337

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<210> 338
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<210> 339
<211> 15
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<400> 339
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<210> 340
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<400> 341
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<210> 342
<211> 15
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peptide

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<210> 343
<211> 15
<212> PRT
<213> Artificial Sequence

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peptide

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<210> 344
<211> 16
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<213> Artificial Sequence

<220>
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peptide

<400> 344
Ser Ser Lys Leu Ile Arg Leu Leu Thr Ser Asp Glu Glu Leu Ser Arg
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<210> 345
<211> 16
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<213> Artificial Sequence

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<210> 347
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<213> Artificial Sequence

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<210> 348
<211> 15
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<213> Artificial Sequence

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<210> 349
<211> 15
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<223> Description of Artificial Sequence:Arbitrary
peptide

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1 5 10 15

<210> 350
<211> 15
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peptide

<400> 350

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1 5 10 15

<210> 351

<211> 15

<212> PRT

<213> Artificial Sequence

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<223> Description of Artificial Sequence:Arbitrary
peptide

<400> 351

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Ser Ser Ala Gly Gly Gly Ala Pro Ala Gly Ser Thr Pro Ser Arg
1 5 10 15